

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

258

CRM-M-19156-2017 (O&M)

Date of Decision:08.08.2018

Balvir Kaur and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. D.S. Malwai, Advocate,  
for the petitioners.

Mr. Tanvir Joshi, A.A.G., Punjab.

None for respondent Nos.2 and 3.

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HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.57 dated 21.06.2014 under Sections 409, 120-B IPC, registered at Police Station Ahmedgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 11.05.2017 (Annexure P-2).

This Court vide order dated 25.05.2017 had directed the parties to appear before the trial Court to get their statements recorded and the trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate, Malerkotla and got their statements recorded. On the basis of the statements so recorded, learned

Magistrate has submitted report dated 12.06.2017 to the effect that the

parties have compromised the matter. The compromise seems to be genuine, voluntarily made and without any pressure or coercion.

Though, today no one is present on behalf of respondent No.2- Complainant, namely, Surinder Singh, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 07.06.2017. The same is reproduced as under:-

*“The FIR No.57 dated 21.06.2014 under Sections 409, 120-B IPC, was registered on the basis of my complaint at police station Ahmadgarh against accused persons namely Balbir Kaur, Shinder Kaur @ Surinder Kaur, Gurjit Kaur, Mandeep Singh and Balwinder Kaur. The matter in dispute qua FIR referred above has been compromised between me and accused persons with the intervention of respectables, relatives. The compromise is genuine, voluntary and without any coercion and undue influence. In view of the compromise, no person is declared as proclaimed offender in present case. I have no objection if the present FIR is quashed and the quashing petition filed by the accused persons before Hon'ble High Court is accepted.”*

Similar statement has been made by respondent No.3-Baldev Singh.

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble

Supreme Court in ***Gian Singh Versus State of Punjab and others (2012)***

**10 SCC 303**, this petition is allowed and FIR No.57 dated 21.06.2014 under Sections 409, 120-B IPC, registered at Police Station Ahmedgarh, District Sangrur (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 11.05.2017 (Annexure P-2).

**August 08, 2018**  
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**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No